

REMARKS

New independent claims 26 and 32 are similar to 5 and 12, respectively, but additionally define the convex protuberances as having a form obtained by rotation of a curve around a central axis, as taught, for example, at [0046] and [0047] of the application as filed. See the corresponding paragraphs [0048] and [0049] of the publication of this application (2007/0183050). That "30" recited by claim 12 meant "30% total light transmission" is apparent from [0072].

The objective of applicant's invention is improvement in front luminance:

"[0009] Therefore, an object of the present invention is to provide a light control film that can surely improve front luminance"

As applicant teaches at [0010], the present invention achieves the above objective (desired improvement in front luminance) "by controlling light transmission of the light control film to be within an appropriate range." That "appropriate range" can be expressed in the manner of claims 5 and 26/[0012] as a percentage of the light entering the smooth surface which is transmitted:

"total light transmission of the film for light entering from the smooth surface is not more than 65% and not less than 20% as measured according to the measurement method defined in JIS K7361-1:1997." [claim 5]

Note the correlation between total light transmission of light entering at the smooth surface and front luminance as discovered by the applicant and shown in Figs. 3a and 3b. Also see paragraphs [0029] - [0030].

Alternatively, that "appropriate range" can be expressed in the manner of claims 12 and 32/[0013] as:

"total light transmission of the film for light from the smooth surface is not more than 65%, total light transmission of the film for light entering from the rough surface is not less than 80%, as measured according to the measurement method defined in JIS K7361-1:1997, and a value obtained by subtracting the total light transmission for smooth surface incidence from the total light transmission for rough surface incidence is not less than 30... ." [claim 12]

Figs. 4a and 4b show the correlation between the above-quoted limitations and front luminance. Also see [0031].

Thus, measurement of total light transmission can be measured as a guide to determination of which convex shapes give the best frontal luminance as taught at [0035] and [0036].

However in rejecting independent claims 5 and 12 over Masaki et al and Parker et al, the Examiner does not so much as mention the above-quoted limitations, much less explain how either Masaki et al or Parker et al might be interpreted as meeting those limitations. Because of these omissions, the Examiner has not stated a *prima facie* case for anticipation.

Likewise, independent claims 5 and 12 recite a minimum haze, another limitation not mentioned by the Examiner.

A *prima facie* case for anticipation of a claim requires that a reference meet each and every limitation of the claim. "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM," quoting MPEP §2131.

Regarding new claims 26-37, note that Masaki et al do not teach a surface structure wherein convex portions are "defined by rotation of a curve around a central rotational axis." Note Figs. 2A and 2B of Masaki et al.

In conclusion, It is respectfully requested that the rejections be reconsidered and withdrawn.

Respectfully submitted,
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